
NOTICE OF PROPOSED CERTIFICATION AND SETTLEMENT OF PETERBOROUGH REGIONAL HEALTH CENTRE CLASS ACTION

A class action was commenced on behalf of individuals who were notified in 2011 and 2012 by Peterborough Regional Health Centre (PRHC) that their medical records were inappropriately accessed by one of four former PRHC employees.

If you are an individual, or the representative of an estate of an individual, who was notified about one of these privacy breaches, you should read this notice carefully.

Certification and Settlement

A proposed settlement (“Settlement”) has been reached between PRHC and the representative plaintiff. It is expected that the action will be certified, on consent, as a class action by the Ontario Superior Court of Justice on August 30, 2023 at 8:30 a.m. for the purpose of resolving this action and obtaining court approval of the settlement.

The allegations made in the action have not been proven in court. The Settlement is not an admission by PRHC of liability but is a compromise of the disputed action.

The court will not be asked to take a position as to the truth or merits of the claims or defences asserted by either side.

Who is a member of the class?

You are a member of the class if you are an individual, or the representative of an estate of an individual,

- whose medical records were inappropriately accessed between June 2010 and March 2012 by one of the following former PRHC employees: Dawn deCiccio (Health Information Clerk), Dana Gildon Cormier (Nutrition Services Technician), Mandy Edgerton Reid (Nurse) and Andrea Kay (Admitting Department Clerk), **and**
- who was notified by PRHC by letter, phone or in person conversation in 2011 or 2012 about the inappropriate access.

What Settlement has been reached?

The Settlement provides for a payment by PRHC of up to \$988,550, which payment includes up to \$650 to each class member who submits a valid claim.

If the Settlement is approved, a further notice will be distributed that describes how class members may submit a claim to participate in the Settlement.

Settlement Approval Hearing

The Court has scheduled a hearing on **August 30, 2023 at 8:30 a.m.** to certify the class action and consider whether to approve the Settlement. You are entitled to attend the hearing but are not required to do so. If you wish to attend the hearing, please contact Greenspon Granger Hill (613-288-2890 or info@gghlawyers.ca) for information about how to attend.

Opting Out

If you do not wish to participate in the Class Action, you must opt out by sending an email to info@gghlawyers.ca or a letter personally delivered or sent by registered mail to the address immediately below indicating that you want to opt-out. Your email or letter must be received on or before August 16, 2023.

Lawrence Greenspon
Greenspon Granger Hill
331 Somerset St. West
Ottawa, ON K2P 0J8

If you opt out:

- You will not be eligible to participate in the Class Action and Settlement;
- You will be able to commence a legal action against the defendants in respect of the claims advanced in the Class Action.

If you do not opt out:

- you will be bound by and eligible to participate in the Settlement (if approved) and you will not be able to start your own claim against PRHC regarding the claims at issue in this case.

Additional Information

This notice, as well as the minutes of settlement, and other information (including how to apply for your portion of the settlement funds) will be available online at:

<http://www.sulaw.ca/peterborough-regional-health-centre>

Lawyers for the Class

Greenspon Granger Hill is acting Class counsel in this action. For further information, please contact our office by email (info@gghlawyers.ca) or phone (613-288-2890).